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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, Norway, Panama, Poland, Portugal, Republic of Moldova, Samoa, Slovenia, Solomon Islands, South Africa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Situation of human rights in Nigeria

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the Vienna Declaration and Programme of Action 3/ and other human rights instruments,

Reaffirming that all Member States have the duty to fulfil the obligations they have freely undertaken under the various international instruments in this field,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ A/CONF.157/24 (Part I), chap. III.

Mindful that Nigeria is a party to the International Covenant on Civil and Political Rights, 2/

Expressing concern that the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms, and recalling in this regard the popular support for democratic government as evidenced in the 1993 elections,

Noting with interest that the Government of Nigeria, on 1 October 1995, affirmed the principle of multi-party democracy, announcing its intent to accept the principle of power-sharing, lift the ban on political activity and the press, devolve power to local levels of government and subordinate the military to civilian authority, but disappointed that only limited action in this regard has followed,

Noting with alarm the recent arbitrary executions of nine persons, namely Ken Saro-Wiwa, Barinem Kiobel, Saturday Dobee, Paul Levura, Nordu Eawo, Felix Nwate, Daniel Gbokoo, John Kpuimen and Baribor Bera,

Noting the decision of the Commonwealth Heads of Government to suspend Nigeria from membership in the Commonwealth,

Noting also the decisions of the European Union, as well as those of other States or groups of States with regard to Nigeria,

Deeply concerned about the human rights situation in Nigeria and the suffering caused thereby to the people of Nigeria,

1. Condemns the arbitrary execution, after a flawed judicial process, of Ken Saro-Wiwa and his eight co-defendants, and emphasizes that everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial with all the guarantees necessary for defence;

2. Expresses its deep concern about other violations of human rights and fundamental freedoms in Nigeria, and calls upon the Government of Nigeria urgently to ensure their observance, in particular by restoring habeas corpus, releasing all political prisoners, guaranteeing freedom of the press and ensuring full respect for the rights of all individuals, including trade unionists and persons belonging to minorities;

3. Calls upon the Government of Nigeria to abide by its freely undertaken obligations under the International Covenant on Civil and Political Rights and other international instruments on human rights;

4. Urges the Government of Nigeria to take immediate and concrete steps to restore democratic government;

5. Welcomes the decisions by the Commonwealth and other States individually or collectively to take various actions designed to underline to the Government of Nigeria the importance of return to democratic rule and observance of human rights and fundamental freedoms, and invites Member States

in a position to do so to consider appropriate steps, consistent with international law, for that specific purpose;

6. Invites the Commission on Human Rights at its fifty-second session to give urgent attention to the situation of human rights in Nigeria, and recommends, in this regard, that its relevant mechanisms, in particular the Special Rapporteur on summary or arbitrary executions, report to the Commission prior to its next session;

7. Requests the Secretary-General, in the discharge of his good offices mandate and in cooperation with the Commonwealth, to undertake discussions with the Government of Nigeria and to report on progress in the implementation of the present resolution and on the possibilities for the international community to offer practical assistance to Nigeria in achieving restoration of democratic government.